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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,141	01/30/2001	Magnus Hollstrom	P13979US2	9924

27045 7590 11/16/2005

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EXAMINER

NGUYEN, JENNIFER T

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/774,141

Applicant(s)

HOLLSTROM ET AL.

Examiner

Jennifer T. Nguyen

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on RCE 8/29/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 22-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This Office action is responsive to request for continued examination filed on 8/28/2005.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 22-25, 28-32, 35, and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Dymetman et al. (Patent No. 6,330,976).

Regarding claims 22 and 30, Dymetman teaches an electronic reading device system (figs. 1 and 2), comprising:

an electronic reading device (i.e., pointer 502) for use with a formatted surface (i.e., document 2) having an address pattern (i.e., marking medium) thereon (col. 8, lines 45-60); and  
a separate electronic device (i.e., peripheral device 4) for displaying detected movements of the electronic reading device relative to the formatted surface (col. 9, lines 1-5);

wherein the electronic reading device (502) includes:

a sensor (i.e., camera 802, fig. 8) for detecting a portion of the address pattern when the electronic reading device is placed on the formatted surface (col. 9, lines 16-21); and

means (i.e., processing circuit 602) for determining the position of the electronic reading device relative to the formatted surface based on the detected portion of the address pattern, wherein the position determining means repeatedly determines the position of the electronic

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reading device relative to the formatted surface as the electronic reading device is moved over the surface by a user (col. 11, lines 32-43); and

means (i.e., network connection hardware 810, fig. 8) for communicating a series of determined positions to the separate electronic device; and

wherein the separate electronic device includes:

a receiver (not shown) that receives the series of determined positions from the electronic reading device (col. 18, lines 11-19,);

means (not shown) for determining a track of the electronic reading device over the formatted surface based on the series of determined positions (col. 18, lines 45-55), and

a display screen (4) for displaying the determined track of the electronic reading device (col. 9, lines 1-3).

Regarding claim 23, Dymetman teaches the separate electronic device also includes a recognition mechanism for converting the determined track into text (col. 17, lines 29-30).

Regarding claims 24 and 32, Dymetman teaches the separate electronic device also includes means for communicating with an application server (i.e., digital page 6) (col. 9, line 58 to col. 10, line 6), wherein the separate electronic device retrieves information relating to a specific application from the server based on the text converted by the recognition mechanism (col. 17, lines 18-30, col. 25, lines 25-37).

Regarding claims 25 and 31, Dymetman teaches the recognition mechanism recognizes the determined track as handwritten characters, and converts the handwritten characters to computer readable text (col. 30, line 66 to col. 31, line 39).

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Regarding claims 28, 35, and 36, Dymetman teaches the means for communicating the series of determined positions to the separate electronic device is a wireless local link or a cable connection (col. 8, lines 41-53)

Regarding claim 29, Dymetman teaches the separate electronic device is a personal computer.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 26, 27, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dymetman et al. (Patent No. 6,330,976) in view of Matsui (Patent No. US 5,897,669).

Regarding claims 26 and 33, Dymetman differs from claims 26 and 33 in that he does not specifically teach the address pattern on the formatted surface includes a pattern of dots arranged in a pattern in which any given dot, combined with the given dot's neighboring dots, forms a pattern that is unique for the given dot, and the sensor includes a camera that captures an image of the given dot and the neighboring dots and provides the image to the position determining means.

Matsui teaches address pattern on the formatted surface (i.e., sheet 24, fig. 1A) includes a pattern of dots (80) arranged in a pattern in which any given dot, combined with the given dot's neighboring dots, forms a pattern that is unique for the given dot, and the sensor (i.e., CCD 28, fig. 1B) includes a camera that captures an image of the given dot and the neighboring dots and

provides the image to the position determining means (col. 10, lines 19-27, col. 14, lines 60-63, col. 15, lines 23-25). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the pattern of dots as taught by Matsui in the system of Dymetman in order to reduce the area for each marker, thus increasing the ratio of data in the code formatted surface.

Regarding claim 27, although the combination of Dymetman and Matsui does not specifically teaches the position determining means determines the position of the electronic reading device relative to the formatted surface to within approximately 0.1 millimeter. However, Matsui teaches the information recording system can record information on a small recording area as much as possible. Therefore, it would have been obvious to obtain the electronic reading device relative to the formatted surface as small area as 0.1 millimeter in order to increase the ratio of data in the code formatted surface.

6. Claims 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dymetman et al. (Patent No. 6,330,976) in view of Bruijns (Patent No. US 5,559,849).

Regarding claim 34, Dymetman teaches all the limitations except the camera captures and provides the position determining means with approximately 100 images per second.

Bruijns teaches a CCD sensor achieves a pick-up rate of 100 images per second (col. 3, lines 54-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the CCD sensor as taught by Bruijns in the system of Dymetman in order to improve the capture image speed and better image resolution for the device.

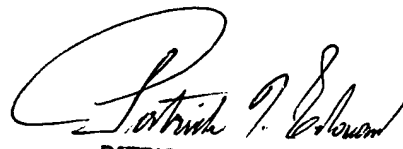
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer T. Nguyen whose telephone number is 571-272-7696. The examiner can normally be reached on Mon-Fri: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Nguyen  
11/7/05

  
**PATRICK N. EDOUARD**  
**SUPERVISORY PATENT EXAMINER**